

'Silver bullet' to cut months from listing

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John Wardell
State EPA director

With Gov. Judy Martz's recent decision to use the "silver bullet," Superfund listing for the Libby area could take place in a matter of a few months rather than a year or more, according to the head of the state office of the Environmental Protection Agency.

"Normally our experience has been that it cuts a year or a year and a half or even more from that process," John Wardell said.

Martz announced Dec. 20 in Libby that she will use Montana's one and only "silver bullet" to put the commu-

nity on the fast track to Superfund listing. Martz had previously said she would not use the silver bullet because of concerns that a terrorist attack could result in a more pressing need.

Martz said she has now come to believe that the known risks posed by asbestos contamination associated with the former vermiculite mine in Libby outweigh the unknown risks of tomorrow.

The silver bullet option was written into the law that created Superfund to allow governors to bypass the regular listing process for sites urgently in need

of cleanup. Under the regular listing process, the EPA uses a hazard ranking system that allows for considerable debate on the collection and analysis of data. With the silver bullet approach, public comments to which the EPA must respond are limited to what is in the governor's letter requesting listing, Wardell said. "It's generally that the governor wants it done and we're prepared to honor her request, and that obviously speeds the process up considerably,"

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he said.

Once the EPA's regional administrator receives the governor's request, it will be published in the Federal Register, Wardell said. The 60-day public comment period will follow, and listing can proceed once the agency has responded to comments.

About \$20 million has already been earmarked for cleanup operations next summer under the EPA's emergency response program, Wardell said, and the Superfund listing process won't get in the way of that work.

"That's going forward on its own track," he said.

Superfund listing will guarantee more certain funding for the cleanup and may result in a final resolution being reached more quickly, Wardell said.

EPA on-scene coordinator Paul Peronard will remain in Libby to supervise the cleanup under Superfund, Wardell said.

"Our greatest hope is the people in the community will notice no difference," he said.

It's highly unusual for an emergency response coordinator to continue working on a site after Superfund listing, Wardell said.

"It's done by the request of Gov. Martz and the folks in

Libby because of the outstanding job he's been doing," Wardell said.

Speaking in Libby on Dec. 20, Martz said her decision in favor of Superfund listing was based in part on commitments she has received from the EPA on the following issues:

- The EPA, state governments and the Libby community will work together on an appropriate number of "operable units" within the Libby Superfund site. Each operable unit can be removed from the list as cleanup is completed. Many area residents stressed the need to separate the mine site, which will never be free of asbestos-contaminated vermiculite - from the rest of the community.

- A timeframe must be agreed upon for cleanup of business and residential properties in the Libby area with a three-year maximum.

- Local property owners must not be held liable for cleanup costs.

- Home and business owners will receive documents certifying that their properties have been cleaned.

- Jobs associated with the cleanup should be offered to local people first whenever possible.